

February 27, 1970

397 U.S.

NEW YORK FEED CO., INC., ET AL. v. LEARY ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF NEW YORK

No. 992. Decided February 27, 1970*

305 F. Supp. 288, affirmed.

Herald Price Fahringer for appellants in No. 992.
Ralph J. Schwarz, Jr., and *Albert B. Gerber* for appel-
lants in No. 998.

J. Lee Rankin and *Stanley Buchsbaum* for appellee
Leary in both cases, and *Frank S. Hogan, pro se*, and
Michael R. Juviler for appellee Hogan in both cases.
Louis J. Lefkowitz, Attorney General of New York,
pro se, *Samuel A. Hirshowitz*, First Assistant Attorney
General, and *Charles A. La Torella, Jr.*, Assistant At-
torney General, filed a motion to dismiss or affirm for
the Attorney General of New York.

PER CURIAM.

The motions to affirm are granted and the judgments
are affirmed.

MR. JUSTICE DOUGLAS is of the opinion that probable
jurisdiction should be noted and the cases set for oral
argument.

*Together with No. 998, *Milky Way Productions, Inc., et al. v. Leary et al.*, also on appeal from the same court.